

PHYLLIS D. SELLERS,)	
)	
Plaintiff)	
)	
vs)	Civil Action No. 3:06-CV-262
)	
MICHAEL J. ASTRUE,)	
COMMISSIONER OF)	
SOCIAL SECURITY)	
)	
Defendant)	

Comes now, the undersigned Magistrate Judge of the United States District Court for the Western District of North Carolina, having reviewed the filed Stipulation To Plaintiff's Request for Attorney Fees and Costs under the Equal Access To Justice Act; and,

Said Stipulation appearing to this court to be fair and reasonable in this case.

1. The Stipulation to EAJA fees and expenses is **ALLOWED**, and that Kevin P. Byrnes, Attorney for the Plaintiff, shall be paid the sum of two thousand five hundred sixty dollars

(\$2,560.00) for attorney's fees directly as an assignee of the Plaintiff and reimbursement of costs in the amount of \$350.00.

2. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.
3. The Clerk is directed to serve copies of this Order to counsel for the parties.
4. The Court having been informed by counsel for the Plaintiff that he waives the further stipulation filed herein, for fees in the amount of \$8,102.25 under 42 U.S.C. §405(b), said Stipulation is hereby **DENIED** and counsel for plaintiff is hereby barred from further request thereunder.

SO ORDERED.

Signed: September 15, 2008

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

